IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7520 of 2007()

CRIME NO.7520/2007 OF PANGODE POLICE STATION

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PETITIONERS/ACCUSED NOS.2,3,18 & 19:

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1. **THAJUDHEEN, S/O.MUHAMMED @ MASALA, BARKKATHU MANZIL, NEAR THE L.P.S. PANGODE, ANAKUDY MURI, PANGODE VILLAGE.**

2. **SIDDIQ, S/O. ALIYARUKUNJU, ROADARIKATH VEEDU, THEMPAMMOODU, KAITHAPACHA, BHARATHANNOOR, ANAKUDY MURI, PANGODE VILLAGE.**

3. **HASEEN, S/O. ABDUL HALEEL, FARHANA MANZIL, P.P.1/654 (OLD NO), NEAR THE PULIPPARA LIBRARY, ANAKUDY MURI, PANGODE VILLAGE.**

4. **NISHAD, S/O. NUJUMUDHEEN, CHARUVILA PUTHEN VEEDU, GANAPATHIYAMKONAM, KODUVAZHANNOOR VILLAGE, FROM JASEENA MANZIL, VALUPACHA, KATTUMPURAM DESOM, PULIMATHU VILLAGE.**

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANTS:

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1. **STATE OF KERALA THROUGH THE SUB INSPECTOR OF POLICE, PANGODE POLICE STATION.**

2. **THE CIRCLE INSPECTOR OF POLICE, KILIMANNOOR POLICE STATION. (RESPONDENTS 1 AND 2 REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM).**

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7520 of 2007

Dated this the 7th day of December 2007

O R D E R

Application for regular bail. The petitioners face allegations in a crime registered inter alia under Sections 324 and 307 read with 149 I.P.C. The alleged incident took place on 09/10/2007. The petitioners are accused 2,3,18 and 19. They were arrested on 10/11/2007 and 22/11/2007. They continue in custody from those dates.

2. The crux of the allegations is that on 09/10/2007 when students who belong to a particular organisation were attempting to hoist their flags the petitioners and others who belong to another organisation reached the scene and unleashed an attack on them with dangerous weapons.

3. I have already granted regular bail to some of the co-accused as per order dated 14/11/2007 in B.A.No.6872/2007. I have adverted to facts in detail in that order.

4. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions. The request of the learned Public Prosecutor that some further time may be granted to the police to complete the investigation can be accommodated.

5. In the result, this petition is allowed. The petitioners shall be enlarged on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 19/12/2007. The investigating officer , in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Sunday for a period of two months from the date of their release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007